

CITY OF MONTCLAIR

**AGENDA FOR CITY COUNCIL, REDEVELOPMENT AGENCY, AND
MONTCLAIR HOUSING CORPORATION MEETINGS**

To be held in the Council Chambers
5111 Benito Street, Montclair, California

October 7, 2002

7:00 p.m.

Page No.

- I. **CALL TO ORDER** – City Council, Redevelopment Agency, and Montclair Housing Corporation
- II. **INVOCATION**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **ROLL CALL**
- V. **PRESENTATIONS**
 - A. Presentation of Plaque to Mr. Reza Nafissi, Community Hero 2002
 - B. Proclamation Declaring October as "Domestic Violence Awareness Month" in the City of Montclair
 - C. Presentation by Mr. Pete Peterson, Coordinator of Facilities Planning, Ontario–Montclair School District, and Ms. Wendy Rogers, Principal of Design and Mr. Brian Prock, Project Manager, LPA, Inc., regarding Bandera School Project

(At this time, the Redevelopment Agency Board of Directors will meet in Closed Session regarding real property negotiations).

VI. CLOSED SESSION

- 1. Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations

Property: 4361 W. Mission Boulevard – Hacienda Mobile Home Park

Negotiating Parties: City of Montclair Redevelopment Agency and Hacienda 204 Ltd.

Negotiators: George Turk, the Westridge Group; Robert Clark, Director of Community Development; and Marilyn J. Staats, Director of Redevelopment/Public Works

Under Negotiation: Recommendations Regarding Price and Terms

Page No.

VII. CLOSED SESSION ANNOUNCEMENTS

VIII. PUBLIC COMMENT

This section is intended to provide members of the public with an opportunity to comment on any subject that does not appear on this agenda. Each speaker will be afforded five minutes to address the City Council Members and Redevelopment Agency and Montclair Housing Corporation Boards of Directors. (Government Code Section 54954.3)

Under the provisions of the Brown Act, the City Council/Agency/ Corporation is prohibited from taking action on items not listed on the agenda.

IX. PUBLIC HEARINGS

- A. Consider Adoption of Resolution No. 02-2415, a Resolution of the City Council of the City of Montclair Approving the Issuance and Sale of the City of Montclair Redevelopment Agency Mobile Home Park Revenue Bonds to Finance the Acquisition of Hacienda Mobile Home Park [RDA] 7
- B. Second Reading – Consider Adoption of Ordinance No. 02-826 Approving a Zone Change to the Montclair Municipal Code from "R-1" (Single-Family Residential) to "R-1(SL)" (Single-family Residential Small-Lot Detached Housing Overlay) for 10.16 Acres at the Southwest Corner of Monte Vista Avenue and Palo Verde Street [CC] 11
- C. Second Reading – Consider Adoption of Ordinance No. 02-827 Pursuant to Chapter 11.84 of the Montclair Municipal Code Establishing Pre-Zone Designations of "R-1" and "C-3" to Approximately 4.18 Acres within the City's Sphere of Influence [CC] 15
- D. First Reading – Consider Adoption of Ordinance No. 02-824 Related to the Adoption of the 2001 California Fire Code [CC] 19

X. CONSENT CALENDAR

- A. Approval of Minutes
 - 1. Minutes of Regular Council/Agency/Corporation Meeting of September 16, 2002 [CC/RDA/MHC]
- B. Administrative Reports
 - 1. Consider Setting a Public Hearing to Consider Resolution No. 02-2420 Related to an Amendment of the Fee Structure for the Collection and Disposal of Commercial Refuse [CC] 33
 - 2. Consider Setting a Public Hearing to Consider Ordinance No. 02-828 Amending Chapters 11.04 and 11.78 of the Montclair Municipal Code Relating to Appeals [CC] 37

3.	Consider Setting a Public Hearing to Consider the Proposed Use of Federal Local Law Enforcement Block Grant Program Funds [CC]	43
4.	Consider Authorizing the Hiring of an "In-Lieu" Police Officer to Backfill for an Anticipated Vacancy [CC]	45
5.	Consider Approval of Allocation of California Law Enforcement Equipment Program High Technology Grant Funds [CC]	46
6.	Consider Authorization to Advertise for Bid Proposals for the Construction of Amherst Avenue Rehabilitation Project [RDA/CC]	47
7.	Consider Amending 2003-07 Capital Improvement Program by Adding Construction of Snack Bar and Restroom Building at Essex Park [CC]	
	Consider Appropriation of \$154,000 from Community Development Block Grant Funds for Construction of Snack Bar and Restroom Building at Essex Park [CC]	
	Consider Appropriation of \$15,000 from Contingency Fund for Architectural Design Services for Snack Bar and Restroom Building at Essex Park [CC]	50
8.	Consider Approval of the Filing of a Notice of Completion for the Construction of Select System Project No. 174 - Monte Vista Avenue Rehabilitation Project; Reduce the Faithful Performance Bond to 10 Percent; and Retain the Payment Bond for Six Months [CC]	52
9.	Consider Approval of Certain Recommendations from the September 19, 2002 Public Works Committee Meeting [CC]	53
10.	Consider "No Action" on Alcoholic Beverage Permit Application - Les Allymes Inc. [CC]	56
11.	Consider "No Action" on Alcoholic Beverage Permit Application - Montclair AM PM [CC]	57
12.	Consider Approval of Warrant Register and Payroll Documentation [CC]	58
 C. Agreements		
1.	Consider Approval of Agreement No. 02-135 Amending Agreement No. 02-01 with Lim and Nascimento Engineering Corporation Modifying the Scope of Services and Fee for Design and Right-of-Way Acquisition Services Associated with the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project [CC]	

Consider Authorization of a Design Contingency of \$100,000 [CC]	59
2. Consider Award of Contract to P.A. Engineering, in the Amount of \$16,873.20 [CC]	
Consider Approval of Agreement No. 02-136 with P.A. Engineering for the Construction of Select System Project No. 179 – Central Avenue Widening Project [CC]	
Consider Authorization of a \$2,000 Construction Contingency [CC]	86
3. Consider Approval of Agreement No. 02-141, a Subdivision Agreement with Montclair 16215 LLC, Regarding Tract Map No. 16215 [CC]	88
4. Consider Approval of Agreement No. 02-149 Amending Agreement No. 01-103 with Ontario-Montclair School District to Provide After-School Programs [CC]	108
5. Consider Approval of Agreement No. 02-150 with California Department of Education to Provide a William F. Goodling Even Start Family Literacy Program in Montclair [CC]	111
D. Resolutions	
1. Consider Adoption of Resolution No. 02-2416 Authorizing Recovery of Weed-Abatement Costs Incurred by the City of Montclair [CC]	115
2. Consider Adoption of Resolution No. 02-2418 Adopting a Measure I Five-Year Capital Improvement Program and a Twenty-Year Transportation Plan for the City of Montclair [CC]	118
3. Consider Adoption of Resolution No. 02-2419 Related to an Amendment of the Fee Structure for the Collection and Disposal of Residential Refuse [CC]	124
4. Consider Adoption of Resolution No. 02-2421 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Accounts [CC]	130
XI. PULLED CONSENT CALENDAR ITEMS	
XII. RESPONSE	
A. Update Regarding Heritage Park Senior Apartments [CC]	137

XIII. COMMUNICATIONS

A. City Attorney/Agency Counsel

1. Closed Session Pursuant to Section 54956.8 of the Government Code Regarding Real Property Negotiations

Property: 10327 Fremont Street

Negotiating Parties: City of Montclair and Monte Vista Water District (MVWD)

Negotiators: City of Montclair City Manager Lee C. McDougal and MVWD General Manager Mark N. Kinsey

Under Negotiation: Discussion of Interest in Purchasing Property from MVWD

2. Closed Session Pursuant to Section 54956.8 of the Government Code Regarding Real Property Negotiations

Property: 4909 Kingsley Street

Negotiating Parties: City of Montclair Redevelopment Agency and Department of Housing and Urban Development (HUD)

Negotiators: Marilyn J. Staats, Director of Redevelopment and Public Works and Christine S. Caldwell, Assistant Director of Redevelopment

Under Negotiation: Recommendations Regarding Purchase Price

B. City Manager/Executive Director

C. Mayor/Chairman

D. City Council/Agency Board

E. Committee Meeting Minutes *(For Informational Purposes Only)*

1. Minutes of the Public Works Committee Meeting of September 19, 2002

138

(At this time, the City Council and Redevelopment Agency Board of Directors will meet in Closed Session regarding real property negotiations).

XIV. CLOSED SESSION ANNOUNCEMENTS

**XV. ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT AGENCY
AND MONTCLAIR HOUSING CORPORATION BOARDS OF
DIRECTORS**

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, October 21, 2002, at 7:00 p.m. in the Council Chambers.

Reports and documents related to each agenda item are on file in the Office of the City Clerk and are available for public inspection between 7:00 a.m. and 6:00 p.m., Monday through Thursday.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (909) 625-9415. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

I, Donna Jackson, Deputy City Clerk, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 72 hours prior to this meeting on the bulletin board adjacent to the south door of Montclair City Hall on October 3, 2002.